23 WILL - LONG FORM
TUTBLANX REGISTERED
Tuttle Law Printing

Last Will and Testament.

I, WILLIAM H. TALBERT of the City of Buffalo in the County of Erie and State of New York being of sound mind and memory, do make, publish and declare this my last Will and Testament, in manner following that is to say:

First. I direct that all my just debts and funeral expenses be paid.

SECOND: To my wife, ELIZABETH BROWN TALBERT, in lieu of dower, I give:

(a) The life use of the premises at and known as No. 116 and 118 Northland Avenue.

(b) I give me wife full ownership of all household goods and furnishings in our home apartment in said Northland Avenue real estate.

(c) My Civil Service Insurance or Public Service Pension, including that from the New York State Employees Retirement System.

(d) Whatever moneys are shown on my bank books that are in Lock Box No. 582 at the Buffalo Trust Company.

THIRD: To my daughter, MRS. SARAH MAY TALBERT-KEELAN, I give:

(a) The real estate at and known as No. 515 - 519 and 521 Michigan Avenue, for her life use.

(b) Whatever furniture, fixtures and tools are in those premises.

(c) The life use of my Grand Island properties, rights and interests.

(d) The Spingairn Medal.

(e) My rights, benefits and privileges in the Frederick Douglass Home at Anacosta, Washington, D. C., if any.

FOURTH: To my said daughter and her daughter, (My grandaughter, MISS MARY YVETTE KEELAN), jointly together, I give the said real estate on Northland Avenue, subject to my wife's life use of the said Northland Avenue property, specified above.

FIFTH: To my said grandaughter, MISS MARY YVETTE KEELAN, I give, (Having heretofore deeded to her my property at 84 Clinton Street):

Scanned by CamScanner

(a) My property in Portland, Multrumah County, State of Oregon, more particularly knownand described as Lot 7 — 8, block 15.

(b) My burial ground at Forest Lawn Cemetary in Buffalo, New York, which is known as lot No. 173, Section "A."

(c) All my jewelry, trinkets, etc., in Lock Box No. 532, at the Buffalo Trust Co.

Whatever papers are in said box or elsewhere shall jointly belong to my said daughter and my said grandaughter.

(d) The full ownership and fee title to my Grand Island property, subject to the life use thereof, given in this will to my daughter.

SIXTH: To my niece, ANNA JORDAN WALTON, I give the blue-stone, diamond-cluster ring, formerly the property of my deceased wife, Mary Burnett Talbert, which ring is now in a safe deposit box at the Buffalo Trust Company, Box No. 532.

SEVENTH: If my said grandaughter dies before my daughter, then my daughter shall have all that I have in this will given to my said grandaughter. If my daughter dies before my grandaughter, then whatever is by this will given to my said daughter shall go to my said grandaughter.

EIGHTH: All the rest, remainder and residue of my estate, wherever situate and in whatever form it may be, I give equally to my said daughter and my said grandaughter together, or, if one of them be dead at my death, then I give all the remainder solely to the one of these two that survives me.

Scanned by CamScanner

Clubs and users of said Memorial Home. If my said niece hereunder gets a life use of the residue and remainder of my estate, then at her death this Memorial Home plan thereupon becomes effective.

If my daughter be alive at my death, then she takes the life use of the said Michigan Avenue real estate, which real estate shall, at her death, go to the said Federation of Colored Women's Clubs in trust for the purposes set forth above.

Lastly *I hereby appoint* The Reverend J. Edward Nash of No. 36 Potter Street, Buffalo, New York, if alive, otherwise Mr. Lewis Holley of 201 Laurel Street, as the sole *execut* or *of this, my last Will and Testament: hereby revoking all former wills by me made.* If they both be dead at my death, then I appoint Attorney Florence Farrington the sole executrix herein and place my entire estate in her hands as trustee to carry out the provisions of this will.

In Witness Whereof, *I have hereunto subscribed my name the* 24th *day of* February *in the year Nineteen Hundred and* twenty-seven.

William H. Talbert LS

We, whose names are hereto subscribed, **Do Certify** *that on the day of* March 29-1927.

the testat above named, subscribed name to this instrument in our presence and in the presence of each of us, and at the same time, in our presence and hearing, declared the same to be last **Will and Testament,** *and requested us and each of us, to sign our names thereto as witnesses to the execution thereof, which we hereby do in the presence of the testat and of each other, on the day of the date of the said Will, and write opposite our names our respective places of residence.*

Maurice J. Noonan residing at 30 St. Paul St. Buffalo N.Y.

Frank F. Freibert residing at 430 Koons Ave Buffalo, N.Y.

*Two witnesses required

Scanned by CamScanner

372

Will

OF

WILLIAM H. TALBERT

Dated, February 24th 19 27.

✓

FILED JAN 30 1930

FLORENCE FARRINGTON
LAWYER
BUFFALO, NEW YORK

Scanned by CamScanner

(88)

Surrogate's Court, *Erie County.*

In the Matter of Proving the Last Will and Testament of

William H. Talbert

Deceased.

Certificate of Probate.

STATE OF NEW YORK,
COUNTY OF ERIE. } *ss.*

I, GEORGE T. VANDERMEULEN, Clerk of the Surrogate's Court, of said County of Erie, do hereby certify in pursuance of Section 151 of Surrogate's Court Act, that on the day of the date hereof, the last Will and Testament of William H. Talbert

deceased being the annexed written instrument, was upon due proof duly admitted to probate by the Surrogate's Court of the County of Erie and by the Surrogate of said County, as and for the last Will and Testament of said deceased, and as a Will valid to pass Real and Personal Property.

Said last Will and Testament is recorded in the office of said Surrogate, in Liber 117 *of Wills, at page* 276.

In Testimony Whereof, *I have hereunto subscribed my name and affixed the Seal of Office of the Surrogate of said County, this* 24 *day of* Jan. *in the year of our Lord one thousand nine hundred and ~~twenty~~* 30.

G. T. Vandermeulen

Clerk of the Surrogate's Court.

BY John F. Whalen
ASSISTANT PROBATE CLERK

No. 91372

William H. Talbert

Scanned by CamScanner

Surrogate's Court

ERIE COUNTY.

IN THE MATTER OF PROVING THE LAST WILL AND TESTAMENT OF

DECEASED

WILL AND CERTIFICATE ON PROBATE

Scanned by CamScanner

Surrogate's Court, Erie County, New York.

IN THE MATTER OF PROVING THE LAST WILL AND TESTAMENT OF

William H. Talbert

Deceased.

To the Surrogate's Court of the County of Erie:

THE PETITION OF J. Edward Nash residing at the City of Buffalo in the said County of Erie respectfully shows:

THAT William H. Talbert late of the City of Buffalo in said County of Erie, died in said City of Buffalo on or about the 20th day of January 1930 and that the said decedent was at the time of h[is] death a resident of the said County of Erie.

That the said decedent died seized of [his] real property, the estimated value of which is $10,000.00 and possessed of [his] personal property, the estimated value of which is $200.00

THAT the said decedent left a LAST WILL AND TESTAMENT, which bears date the 29 day of March 1927, witnessed by Maurice J. Noonan, 30 St. Paul St., Buffalo, N.Y. Frank F. Freitsch, 430 Koons Ave., Buffalo, N.Y. relates to real and personal property, and nominates and appoints your petitioner J. Edward Nash executor thereof; ~~and nominates and appoints~~ ~~residing at~~ ~~trustee thereunder, and that the gross value of said trust estate will not exceed $~~ 10,000.00

THAT your petitioner does not know of any codicil to said LAST WILL AND TESTAMENT, except as above set forth, nor of any other Will of the said decedent, and no other Will has been filed in the Surrogate's Office.

Scanned by CamScanner

That the decedent left h~~i~~s surviving Elizabeth Brown Talbert his widow, ~~her husband~~, who is of full age, and resides at 118 Northland Ave Buffalo, N.Y

THAT all the heirs at law and next of kin of the said decedent, together with their names, ages, relationship, places of residence and Post-Office addresses set opposite their names respectively, are as follows:

Name	Age	Relationship	Residence and Post-Office Address
Sarah M. Talbert-Keelan		adult daughter	118 Northland Ave. Buffalo
Elizabeth Brown Talbert		adult son	" " "

THAT the names and Post-Office Addresses of all the devisees, legatees and beneficiaries named in the said last WILL AND TESTAMENT are as follows:

Scanned by CamScanner

Mary Yvette Kelsaw granddaughter, minor age 12 yrs. 40 Edna Pl. Buffalo, N.Y. Mrs. Ida Anna Jordan Walton, 41 Edna Pl. Buffalo, N.Y. Mrs. Ida State Federation of Colored Women's Clubs, 118 Morehead Ave

THAT all of the above named persons are of sound mind

that there are no persons, other than those hereinbefore mentioned, interested in this proceeding, and that no previous application has been made to any Surrogate's Court for the probate of the Will of the decedent, or for Letters of Administration upon the estate of said decedent.

WHEREFORE YOUR PETITIONER PRAYS that said Last Will and Testament may be admitted to probate, and established as and for the Last Will and Testament of said testator valid to pass real and personal property thereof;

THAT letters Testamentary issue to the executor in said Will named J. Edward Nash

THAT a citation issue herein and that all such process and proceedings may be had and taken in this proceeding, for that purpose, as the law may require.

DATED this 24th day of January 1930.

J. Edward Nash
Petitioner to sign here

Scanned by CamScanner

STATE OF NEW YORK,
COUNTY OF ERIE,
CITY OF BUFFALO. } SS.

J. Edward Nash

being duly sworn says that he is the petitioner in the above entitled proceeding; that he has read the foregoing petition by h/ me subscribed and knows the contents thereof and that the same is true to the knowledge of deponent, except as to the matters therein stated to be alleged on information and belief, and that as to those matters he believes it to be true.

J. Edward Nash
Petitioner to sign here

Subscribed and sworn to before me, this
24 day of Jany 1930.

Florence B. Farrington
Commissioner of Deeds in and for the City of Buffalo, N. Y.
Notary Public

STATE OF NEW YORK,
COUNTY OF ERIE,
CITY OF BUFFALO. } SS.

I J. Edward Nash

do swear that I am the Executor named in the Last Will and Testament of William H. Talbert late of the City of Buffalo in said County of Erie, deceased; that I am a citizen of the United States, a resident of the City of Buffalo in said County of Erie, upwards of the age of twenty-one years, and that I will well, faithfully and honestly discharge the duties of Executor of and under the said Last Will and Testament.

Subscribed and sworn to before me, this
24th day of Jany 1930.

J. Edward Nash
Executor to sign here

36 Potter St.
Address

Florence B. Farrington
Commissioner of Deeds in and for the City of Buffalo, N. Y.
Notary Public

STATE OF NEW YORK,
COUNTY OF ERIE,
CITY OF BUFFALO. } SS.

I J. Edward Nash

do swear that I am the Executor named in the Last Will and Testament of William H. Talbert late of the City of Buffalo in said County of Erie, deceased; that I am a citizen of the United States, a resident of the City of Buffalo in said County of Erie, upwards of the age of twenty-one years, and that I will well, faithfully and honestly discharge the duties of Executor of and under the said Last Will and Testament.

Subscribed and sworn to before me, this
24 day of Jany 1930

Executor to sign here

Address

Commissioner of Deeds in and for the City of Buffalo, N. Y.
Notary Public

Surrogate's Court
ERIE COUNTY

In the Matter of Proving the Last Will and Testament of

William H. Talbert
DECEASED.

PETITION FOR
PROBATE OF WILL

Florence Farrington
Attorney for Petitioner.
242 Richmond Ave
Buffalo N.Y.

FILED
1930
CLERK OF ERIE COUNTY

72-64

Scanned by CamScanner

Surrogate's Court, County of Erie, New York.

In the Matter of Proving the Last Will and Testament of

William H. Talbert

Deceased.

I, J. Edward Nash the petitioner in this proceeding, residing at No. 36 Potter Street, in the City of Buffalo County of Erie and State of New York do hereby designate the Clerk of the Surrogate's Court of the County of Erie, and his successor in office, as a person on whom service of any process issuing from said Court in this proceeding, or in any other proceeding which shall affect the estate of the said decedent may be made in like manner and with like effect as if it were served personally upon me; whenever I cannot be found and served within the state of New York, after due diligence used.

Dated at the City of Buffalo State of New York the 24th day of January, 1930

J Edward Nash

STATE OF New York
COUNTY OF ss.
CITY OF Buffalo

On this 24th day of January, 1930, personally appeared before me J. Edward Nash to me well known to be the same person described in and who executed the foregoing instrument and who duly acknowledged the execution of the same for the purposes therein mentioned.

Florence B. Farrington
Notary Public Erie Co. My.

Scanned by CamScanner

Surrogate's Court
ERIE COUNTY

IN THE MATTER OF PROVING THE
LAST WILL AND TESTAMENT
OF

William H. Talbert
Deceased.

Designation of the Clerk of the Surrogate's Court to receive process.

Scanned by CamScanner

State of New York, Surrogate's Court, Erie County.

In the Matter of Proving the Last Will and Testament
OF

William H. Talbert Deceased

TO THE SURROGATE'S COURT OF THE SAID COUNTY OF ERIE:

Whereas, William H. Talbert late of the city of Buffalo County of Erie, and State of New York, died leaving a last Will and Testament, which has been filed for probate by Rev. J. Edward Keat Executor thereon named, in the office of the Surrogate of said County of Erie and which said Last Will and Testament bears date the 29th day of March, 1927 and witnessed by

Now Elizabeth Brown Talbert and Sarah May Talbert Keelan

the undersigned heirs at law and next of kin, of said deceased, do hereby appear in person and waive the issue and service of a citation to attend the probate of said Last Will and Testament, and consent that the same be admitted to probate.

Dated this 14th day of January, 1930

Elizabeth Brown Talbert
Sarah M. Talbert Keelan

Scanned by CamScanner

STATE OF NEW YORK,
ERIE COUNTY,
CITY OF BUFFALO. } ss.

On this 24th day of January 1930, before me personally came Elizabeth Brown Talbert and Sarah May Talbert Keelan

to me personally known to be the persons described in, and who executed the foregoing instrument, and they severally duly acknowledged the execution thereof.

If acknowledged outside of New York State attach County Clerk's Certificate.

Florence B. Farrington
~~Commissioner of Deeds in and for the City of Buffalo, N. Y.~~
Notary Public, Erie County, N. Y.

Surrogate's Court
ERIE COUNTY

In the Matter of Proving the Last Will and Testament of

William K. Talbert
Deceased.

WAIVER OF SERVICE OF CITATION

FILED
1930
FILED IN THE OFFICE OF THE SURROGATE'S COURT ERIE CO. N.Y.

Scanned by CamScanner

Surrogate's Court, County of Erie, State of New York

IN THE MATTER OF PROVING THE LAST WILL AND TESTAMENT OF

William N. Talbert

Deceased.

NOTICE is hereby given that the Last Will and Testament of William N. Talbert late of the City of Buffalo, in the County of Erie, deceased, has been offered for probate and admitted to probate in the Surrogate's Court of the County of Erie, at the City of Buffalo, upon the petition of J. Edward Nash Executor therein named, whose post office address is No. 36 Potter St. in the City of Buffalo, New York.

That the names and post office addresses of each and every legatee, devisee or other beneficiary who has not been cited or who has not appeared or waved citation as follows:

NAMES	POST OFFICE ADDRESSES
Mary Yvette Keelan	409 Edgecomb Ave New York City
Anna Jordan Dalton	11 Elsie Place Buffalo N.Y.

Dated, Buffalo, N. Y., the 24th day of January 1930

Florence Farrington
Attorney for Executor
217 Richmond Avenue
Buffalo, N. Y.

J. Edward Nash
Executor and Proponent
Post Office Address,
36 Potter St.
Buffalo, N. Y.

Scanned by CamScanner

State of New York,
County of Erie,
City of Buffalo } SS.

J. Edward Nash of the

City of Buffalo in said County of Erie, being duly

sworn says that he is eighteen years of age and upwards; that on the 24th

day of January, 1930, deponent deposited in the Postoffice in the City of Buffalo, in said

County of Erie, a copy of the within notice of probate, contained in a securely closed postpaid wrapper,

directed to each of the following named persons, at the place hereinafter respectively specified, to wit:

Mary Yeatte Kedan	409 Edgecomb Ave. New York City.
Anna Jordon Walton	11 Elsie Place Buffalo N.Y.

Sworn to before me this 24th

day of January, 1930

Florence B. Farrington

Commissioner of Deeds in and for the City of Buffalo, N. Y.
Notary Public, Erie County, N. Y.

J. Edward Nash

FILED
JAN 29 1930
OFFICE ERIE CO. N.Y.
SURROGATES

36

Surrogate's Court
ERIE COUNTY

IN THE MATTER OF PROVING THE
LAST WILL AND TESTAMENT
OF

William K. Vacher
Deceased.

Notice of Probate of Will

Florence Farrington
Attorney for Petitioner.

217 Richmond Ave
Buffalo N.Y.

8345

Scanned by CamScanner

PROOF OF WILL

Surrogate's Court, Erie County, State of New York

IN THE MATTER OF PROVING THE LAST WILL AND TESTAMENT OF

William H. Talbert

Deceased

Examination of Subscribing Witness, sworn and examined before the Surrogate of Erie County in the above entitled proceeding.

STATE OF NEW YORK, ERIE COUNTY, } ss.

Frank F. Freibert, being duly sworn as a witness in the above entitled proceeding, and examined on behalf of the petitioner propounding for probate said Last Will and Testament, says: I reside 430 Koon Ave in the City of Buffalo in the County of Erie, and State of New York. I was acquainted with William H. Talbert, late of the City of Buffalo in said County of Erie, now deceased, and had known him for some time prior to his death. I am one of the subscribing witnesses to the instrument now shown and exhibited to me, bearing date the 29th day of March, 1927 and now offered and propounded for probate as and for his Last Will and Testament of the above named decedent. The subscription of the name of said decedent at the end of said instrument was made by the decedent in the presence of myself and Maurice J. Noonan the other subscribing witness thereto. At the time of such subscription the said decedent declared the said instrument so subscribed by him to be his Last Will and Testament and I thereupon signed my name as a witness at the end of said instrument at the request and in the presence of said decedent. I also saw said Maurice J. Noonan the other subscribing witness, sign his name as a witness at the end of said instrument, and know that he did so at the request of said decedent and in his presence. The said decedent, at the time of so executing said instrument, was a citizen of the United States, and upwards of the age of twenty-one years and of sound mind, memory and understanding, and was not under any restraint to the best of my knowledge and belief, and in my opinion was competent to devise real estate. I have examined said instrument and it now appears in all respects as when executed, without any alterations.

Subscribed and sworn to before me, this 24th day of January, 1930. } Frank F. Freibert

John H. Curry

Probate ~~Surrogate~~ Clerk of the Surrogate's Court, Erie County, N. Y.

Scanned by CamScanner

Surrogate's Court,

ERIE COUNTY

In the Matter of Proving the Last Will and Testament of

.....

Deceased

PROOF OF WILL

PERRINGER & ABER, LEWIS BLOCK, BUFFALO, N. Y.

Scanned by CamScanner

Surrogate's Court, Erie County, State of New York

IN THE MATTER OF PROVING THE LAST WILL AND TESTAMENT OF

William H. Talbert

Deceased

Examination of Subscribing Witness, sworn and examined before the Surrogate of Erie County in the above entitled proceeding.

STATE OF NEW YORK, ERIE COUNTY. } ss.

Maurice J. Noonan, being duly sworn as a witness in the above entitled proceeding, and examined on behalf of the petitioner propounding for probate said Last Will and Testament, says: I reside 30 Ft. Paul Ft. in the City of Buffalo in the County of Erie, and State of New York. I was acquainted with William H Talbert, late of the City of Buffalo in said County of Erie, now deceased, and had known him for some time prior to h death. I am one of the subscribing witnesses to the instrument now shown and exhibited to me, bearing date the 29th day of March, 1927, and now offered and propounded for probate as and for his Last Will and Testament of the above named decedent. The subscription of the name of said decedent at the end of said instrument was made by the decedent in the presence of myself and Frank F. Freibert the other subscribing witness thereto. At the time of such subscription the said decedent declared the said instrument so subscribed by him to be his Last Will and Testament and I thereupon signed my name as a witness at the end of said instrument at the request and in the presence of said decedent. I also saw said Frank F Freibert the other subscribing witness, sign his name as a witness at the end of said instrument, and know that he did so at the request of said decedent and in his presence. The said decedent, at the time of so executing said instrument, was a citizen of the United States, and upwards of the age of twenty-one years and of sound mind, memory and understanding, and was not under any restraint to the best of my knowledge and belief, and in my opinion was competent to devise real estate. I have examined said instrument and it now appears in all respects as when executed, without any alterations.

Subscribed and sworn to before me, this 21st day of January, 1930. } Maurice J. Noonan

Probate Clerk

Surrogate

Clerk of the Surrogate's Court, Erie County, N. Y.

Scanned by CamScanner

FILED
JAN
1950
SURROGATE'S OFFICE ERIE COUNTY

PUBLISHED BY BANK, LEWIS BLOCK, BUFFALO, N. Y.

PROOF OF WILL

Deceased

In the Matter of Proving the Last Will
and Testament of

Surrogate's Court,
ERIE COUNTY

Scanned by CamScanner

(5)

At a Surrogate's Court. Held in and for the County of Erie, State of New York, at the Surrogate's Office, in the City of Buffalo, in said County on the 24th day of January A. D., 1930

PRESENT: HON. LOUIS B. HART, SURROGATE.

IN THE MATTER OF PROVING THE LAST WILL AND TESTAMENT OF

William H Taebert

Deceased.

J Edward Nash having heretofore presented a written petition praying that the instrument, bearing the date of 29th day of March 1927 purporting to be the last Will and Testament of William H Taebert late of the city of Buffalo in said County of Erie, deceased, be admitted to probate as a will valid to pass real and personal property. ~~And a citation~~ having thereupon been duly issued herein to the heirs at law and next of kin of said decedent mentioned in said petition, returnable in this Court, on the day of , 19 , at ten o'clock in the forenoon of that day. And satisfactory proof having been filed of the due service of said citation personally within the State on

and of the due service of said citation personally without the State, or by publication and mailing thereof, pursuant to an order made in this proceeding by said Surrogate on

And said petitioner having presented instrument in writing signed by Elizabeth Brons Talbert and Sarah Mary Talbert Nelan heirs at law and next of kin of said decedent mentioned in said petition, acknowledged or proved as required by law, waiving the issue and service on them of a citation to attend the probate of said Last Will and Testament, and consenting to the probate thereof forthwith.

~~and~~ Counselor at Law, ~~having been appointed the Special Guardian for said~~ infant , ~~by an order made in this proceeding by said Surrogate.~~

And day appeared the said petitioner in person, and by Florence Farrington his attorney ~~and said Special Guardian in person.~~

And the several witnesses called having been examined before said Surrogate, and the proofs taken reduced to writing, and said Surrogate having inquired particularly into all the facts and circumstances, and heard the proofs and allegations of the parties and duly deliberated thereon, and being satisfied of the genuineness of the instrument propounded for probate as and for the Last Will and Testament of said testator and the validity of its execution and it appearing that said instrument was duly executed; that the said testator at the time of executing the same was in all respects competent to make a will, and not under restraint and the probate thereof not having been contested;

It is decided and decreed that the said instrument be and the same is hereby admitted to probate, and established as and for the Last Will and Testament of said Testator valid to pass he real and personal property, and that the same be recorded accordingly.

And it is further Ordered and Decreed that Letters Testamentary issue to J. Edward Nash

Executor in said Will named, he having appeared and taken the official oath and filed the designation prescribed by law, upon filing proof of service of a written notice to all beneficiaries under said Will that the same has been offered for probate or probated, as the case may be.

SURROGATE.

FILED
STATE OF NEW YORK
ERIE COUNTY
1930

ESTATE No. 9372

Surrogate's Court
ERIE COUNTY

In the Matter of Proving the Last Will and Testament of

William H. Talbert
Deceased.

DECREE, PROBATE WILL

Recorded in Liber 387 of W. & O. at page 283 this 24 day of Jan 1930 and examined.

G. J. Vandemeulen
Clerk of Surrogate's Court.

72-64

Scanned by CamScanner